

DETAILED ACTION

Current Status

1. This action is responsive to Applicants' amendment of 1 October 2008.
2. Receipt and entry of Applicants' amendment is acknowledged.
3. Claims 1-12 and 14-23 are under active consideration in the instant application.

The 112 rejections in the previous Office Action is withdrawn because the reaction temperature is stated in the specification.

This application is a 371 of PCT/EP03/07235 07/07/2002.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Aaron Ettelman on 01/07/2008.

The Application has been amended as follows:

In claim 15 line 1, delete "13" and insert -14-.

Allowed Claims

Claims 1-12 and 14-23 are allowable over the prior art of record.

Reason For Allowance

The following is an examiner's statement of reasons for allowance: A search of the prior art failed to uncover any reference that anticipates or renders obvious a silica sol and a process for preparing the same; having a BET surface area of from 100 to 1200 m²/g, wherein said silica sol comprises from **0.05 to 15% by weight of guanidinium ions**, based on the total weight of the silica sol, wherein said silica sol is free of amine as claimed by applicants.

The closest prior art is US 3,630,954. US 3,630,954 teaches a solution of amorphous guanidine silicate containing 20% SiO₂ and having a mole ratio of SiO₂ to guanidine of 1:1. Additionally, US 3,630,954 teaches an aqueous silica sol having a surface area of from 950 m²/g to 1,800 m²/g, pH in the range of from 10.5 to 12.0, from 10% to 30% by weight of SiO₂ and the sol being stabilized with an amine. On the other hand, Applicants claim a silica sol comprises from a BET surface area of from 100 to 1200 m²/g and **0.05 to 15% by weight of guanidinium ions** and a process for preparing the same. These are different silica sols based on their compositions, and the differences are not readily apparent and would not have been suggested to one of ordinary skill.

Claims 1-12 and 14-23 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chukwuma O. Nwaonicha whose telephone number is 571-272-2908. The examiner can normally be reached on Monday thru Friday, 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Sullivan can be reached on 571-272-0779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Chukwuma O. Nwaonicha/
Examiner, Art Unit 1621

/Jafar Parsa/
Primary Examiner, Art Unit 1621